

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

August 12, 2010

DIVISION ONE

B218089 Physicians Comm. For Responsible Medicine (Certified for Publication)
v.
McDonald's Corporation, et al.

The judgment is reversed. Costs are awarded to appellant.

Johnson, J.

We concur: Rothschild, Acting P.J.
 Chaney, J.

[illegible]

The judgment is affirmed.

Johnson, J.

We concur: Mallano, P.J.
 Rothschild, J.

August 12, 2010 (Continued)

DIVISION TWO

[illegible]

The judgment is affirmed.

Chavez, J.

We concur: Boren, P.J.
Doi Todd, J.

[illegible]

The order is affirmed.

Chavez, J.

We concur: Doi Todd, Acting P.J.
 Ashmann-Gerst, J.

B217385 People v. Perez (Not for Publication)

The order revoking probation and executing the previously suspended prison sentence is affirmed.

Chavez, J.

We concur: Boren, P.J.
Doi Todd, J.

August 12, 2010 (Continued)

DIVISION TWO (continued)

[illegible]

The award of attorney fees is stricken, conduct credits are increased from 71 days to 142 days, and the judgment is otherwise affirmed. On remand, the trial court is directed to amend the abstract of judgment to reflect these changes.

Chavez, J.

We concur: Boren, P.J.
 Ashmann-Gerst, J.

B221511 People (Not for Publication)
v.
Bryan W.

The Court:

The order of wardship is affirmed.

Boren, P.J., Doi Todd, J., Chavez, J.

B221444 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Rayshell L.

The order of the juvenile court is affirmed.

Chavez, J.

We concur: Boren, P.J.
 Doi Todd, J.

DIVISION THREE

B215734 People (Not for Publication)
v.
Kevin Dwayne Brown

The judgment in case No. MA043869 is affirmed. The judgment in case No. MA039545 is modified by striking the \$1,200 Penal Code section 1202.4, subdivision (b) restitution fine and the \$1,200 Penal Code section 1202.45 parole revocation fine imposed by the trial court in that case on April 20, 2009, with the result that the \$200 Penal Code section 1202.4, subdivision (b) restitution fine and the \$200 Penal Code section 1202.45 parole revocation fine imposed by the trial court on September 19, 2007, in that case remain in effect (with said parole revocation fine stayed pending completion of parole, at which time said stay shall become permanent) and, as so modified, the judgment is affirmed. The trial court is directed to forward to the Department of Corrections an amended abstract of judgment in case No. MA039545 reflecting the above modification.

Kitching, J.

We concur: Klein, P.J.
Croskey, J.

DIVISION FOUR

Court convened at 9:00 a.m.

Present: Epstein, P.J., Willhite, J., Manella, J., Suzukawa, J. and S. Veverka, Deputy Clerk.

Each of the following:

B216768 People v. Jones
B216938 People v. Perez
B220680 DCFS v. O.R.
B224298 Jose S. v. SCLA (DCFS)

Argument waived, cause submitted.

DIVISION FOUR (continued)

B218289 California Coastal Commission, et al.
 v.
 Allen

Merits:
Argued by Michael J. Buley for respondents. Appellant waived oral argument. Cause submitted.

B221062 Bhavnani, et al.
 v.
 Escobar

Merits:
Argued by Steven E. Shapiro for appellants. Respondent waived oral argument. Cause submitted.

B215824 Lisenbee, et al.
 v.
 Feiner, et al.

Merits:
Argued by Steven Morris for appellants and by David K. Dorenfeld for respondents. Cause submitted.

B217818 Tanen
 v.
 Southwest Airlines, Co.

Merits:
Argued by Seth A. Safier for appellant and by Ruth N. Borenstein for respondent. Cause submitted.

DIVISION FOUR (continued)

B215274 Colony Insurance Company
v.
Crusader Insurance Company

Merits:

Argued by Bryan M. Weiss for appellant and by Raul L. Martinez for respondent. Cause submitted.

B217834 Fuerte
v.
AIG Federal Savings Bank

Merits:

Argued by Daniel J. Doonan for appellant and by Lori C. Hershorin for respondent. Cause submitted.

Court recessed.

Court reconvened at 1:30 p.m.

Present: Epstein, P.J., Willhite, J., Manella, J., Suzukawa, J. and S. Veverka, Deputy Clerk.

Each of the following:

B211420 People v. Martinez
B217438 People v. Baldwin

Argument waived, cause submitted.

DIVISION FOUR (continued)

B218789 People
 v.
 Whetstone

Merits:

Argued by Eric Cioffi for appellant and by Charles Lee, Deputy Attorney General for respondent. Appellant may file a supplemental brief on or before August 26, 2010. Or inform the court that he will not be filing a brief. Should appellant file a supplemental brief, respondent's supplemental brief will be due September 9, 2010. Matter shall be submitted upon filing of respondent's supplemental brief, or upon notification that appellant will not be filing a brief.

B217615 Giacometti, et al.
 v.
 Aulla, LLC, et al.

Merits:

Argued by Albert F. Coombes for appellants and by J. Andrew Wright for respondents. Cause submitted.

B221626 Los Angeles County, D.C.F.S.
 v.
 Aenoy T., et al.

Merits:

Argued by Michael A. Salazar for appellant Aenoy T., by Maryann M. Milcetic for appellant and by William D. Thetford, Deputy County Counsel for respondent. Cause submitted.

B220142 Veirup
 v.
 Abraham

Merits:

Argued by Justin A. Shiau for appellant. No brief filed by respondent. Cause submitted.

DIVISION FOUR (continued)

B219706 Palp, Ind., et al.
 v.
 Doty Bros. Equipment Co.

Merits:
Argued by Theresa C. Tate for appellant and by Willis J. King for respondents. Cause submitted.

B216174 Burnett, et al.
 v.
 Zimmerman, et al.

Merits:
Argued by Barry A. Ross for appellants and by Greg May for respondents. Cause submitted.

B219532 Colony Cove Properties
 v.
 City of Carson, et al.

Merits:
Argued by William A. Wynder for appellants and by Thomas W. Casparian for respondent. Cause submitted.

B216515 Pacific Palisades Bowl Mobile Estates
 v.
 City of Los Angeles

Merits:
Argued by Amy Brothers for appellant and by Craig M. Collins for respondent. Cause submitted.

Court adjourned.

August 12, 2010 (Continued)

DIVISION FIVE

B219717 Craig Nevius (Not for Publication)
 v.
 Richard Francis

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

B218847 Carlos Alvarez (Certified for Publication)
 v.
 Workers Compensation Appeals Board
 State Compensation Insurance Fund

The judgment is reversed.

Mosk, J.

We concur: Armstrong, Acting P.J.
 Ferns, J. (Assigned)

DIVISION SIX

Court convened at 1:30 p.m.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

B217357 People v. Sheck

Matter off calendar.

Each of the following:

B216097 People v. Jones and Louis
B217514 People v. Anderson

Argument continued to September, 2010.

DIVISION SIX (continued)

Each of the following:

B212544 People v. Shin
B214895 People v. Chester
B215205 People v. Ramirez
B216478 People v. Love
B216566 People v. Hun
B216625 People v. Ramirez
B216886 People v. Eastburn
B217573 People v. Rodriguez
B217698 People v. Gittens
B218066 People v. Coleman
B218068 People v. Silva
B218153 People v. Guevara
B218519 People v. Barkley
B218887 People v. Talamantes
B219802 People v. Chavez
B220437 People v. Tejada
B220507 People v. Briana B.
B221280 People v. Clarke
B221938 People v. Gundler
B221939 People v. Sundown

Argument waived, cause submitted.

B214339 People
 v.
 Barnes

Merits:

Argued by Richard C. Gilman for appellant. Argument previously waived
by respondent. Cause submitted.

DIVISION SIX (continued)

B218689 People
 v.
 Valencia

Merits:
Argued by Lori E. Kantor for appellant and by Michael A. Katz, Deputy Attorney General, for respondent via video conference. Cause submitted.

B220394 People
 v.
 Yang

Merits:
Argued by Herb Fox for appellant. Argument previously waived by respondent. Cause submitted.

B215149 People
 v.
 Vargas

Merits:
Argued by Phillip I. Bronson for appellant and by Eric J. Kohm, Deputy Attorney General, for respondent via video conference. Cause submitted.

B222786 People
 v.
 Alesh L.

Merits:
Argued by Christina Samayoa Stokholm for appellant and by Lance E. Winters, Deputy Attorney General, for respondent via video conference. Cause submitted.

Coffee, J. left the bench.

DIVISION SIX (continued)

B209841 People
 v.
 Quinney, Mitchell, Lovely, Simpson, Jones and Woods

Merits:

Argued by Ralph H. Goldsen for appellant, Mitchell; by Leonard J. Klaif for appellant, Lovely; by Lisa Marie J. Spillman for appellant, Quinney; by Dan Mrotek for appellant, Jones; by Carlo Andreani for appellant, Woods; by Susan S. Bauguess for appellant, Simpson; and by Marc Kohm, Deputy Attorney General for respondent via video conference. Cause submitted.

Court adjourned.

DIVISION EIGHT

B216844 Steven B. Wolfson (Not for Publication)
 v.
 Tukatech, Inc.,

The order granting Tukatech a new trial is affirmed and the matter is remanded to the superior court. Tukatech shall recover its appellate costs.

Rubin, Acting P.J.

We concur: Flier, J.
 Grimes, J.